

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1, 2, 4, 6-11, 13, 20, 21, 23, and 25-27 were pending in this application. No claims are amended, no claims are canceled, and new claims 42-49 have been added herein. Therefore, claims 1, 2, 4, 6-11, 13, 20, 21, 23, 25-27, and 42-49 are now pending in this application. Applicant respectfully requests reconsideration of these claims for at least the reasons presented below.

Requirement for Information

The Final Office Action made a Requirement for Information under 37 C.F.R. §1.105 regarding the five (5) SiteMinder documents originally cited in an Information Disclosure Statement filed by the Applicants on March 12, 2004. For at least the reasons stated in the Amendment filed on March 29, 2006 in response to the final Office Action, the Applicants believe that the Requirement for Information is improper and should be withdrawn.

35 U.S.C. § 103 Rejection, Patterson in view of Zubeldia

Claims 1, 2, 4, 8, 9, 11, 13, 20, 21, 23, and 25-27 were previously rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent Application Publication No. 2002/0053023 to Patterson et al. (hereinafter “Patterson”) in view of U. S. Patent No. 6,044,462 to Zubeldia et al. (hereinafter “Zubeldia”). The Applicant respectfully submits that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims. Therefore, the Applicant requests reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or

combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation. See MPEP §706.02(j). However, as will be discussed below, the references cited by the Office Action do not teach or suggest each claimed limitation. For example, none of the references, alone or in combination, teach or suggest determining whether to check a status for a certificate at a check time and, in response to determining to check the status for the certificate at a check time, determining whether to check the status for the certificate in real time.

Patterson "provides a certificate validation mechanism for a network interface." (page 1, para. 14) Under Patterson, "the certificate validation mechanism maintains a certificate cache that records certificates on which verification of validity has been performed along with an associated indication of validity resulting from the validity verification." (page 1, para. 14) More specifically, Patterson discloses receiving an email message and extracting a certificate from the received message. (page 3, para. 55) The received certificate is compared to certificates stored in a user cache. (page 3, para. 56) If the certificate is stored in the user cache, "validity information stored in the certificate in the user cache is extracted and associated with the received message." (page 3-4, para 57) If the received certificate is not stored in the user cache, a message is sent to a public repository to verify the certificate. The results of this verification are stored in the user cache. (page 4, para. 58-59) To maintain reliability of the user cache, certificates are purged from the cache based on the time since the certificate was last verified. However, Patterson does not teach or suggest determining whether to check a status for said certificate at a check time and, in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time. Rather, Patterson teaches a single determination, whether the received certificate is already in the user cache.

Zubeldia is directed to "managing key revocation in a cryptographic environment." (Col. 1, lines 7-8) The cited portion of Zubeldia discusses certificates that

"typically includes, among other items, the name of the certification authority, the name of the certificate holder, the expiration date of the certificate, the public key of the certificate holder, and the digital signature of the certification authority." (Col. 2, lines 11-19) Zubeldia goes on to describe using periodically published Certificate Revocation Lists (CRLs) to determine whether a certificate has been recently revoked. (Col. 2, line 66 - col. 4, line 18) Zubeldia then goes on to disclose a method in which "certificate validity status is stored and retained in a certificate status history database ('database') that allows for ease of certificate status retrieval" thereby eliminating the need to check CRLs. (Col. 4, line 66 - col. 5, line 9) In this method, the database can be queried by users to determine the validity of a particular certificate.. (Col. 7, line 54 - col. 8, line 58). However, Zubeldia does not teach or suggest determining whether to check a status for said certificate at a check time and, in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time. Rather, Zubeldia simply responds to user requests by returning validity information stored in the database.

The combination of Patterson and Zubeldia is no more relevant to the pending claims than either reference alone since neither reference, alone or in combination, teaches or suggests determining whether to check a status for said certificate at a check time and, in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time. Rather, Patterson teaches a single determination, whether the received certificate is already in the user cache while Zubeldia simply responds to user requests by returning validity information stored in the database.

Independent claims 1 and 20, upon which all other pending depend, both recite in part "determining whether to check a status for said certificate at a check time; and in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time." However, neither reference, alone or in combination, teaches or suggests, determining whether to check a status for said certificate at a check time and

in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time. Rather Patterson teaches a single determination, whether the received certificate is already in the user cache, while Zubeldia simply responds to user requests by returning validity information stored in the database. For at least these reasons, Applicants respectfully request that the rejection be withdrawn and claims 1, 2, 4, 8, 9, 11, 13, 20, 21, 23, and 25-27 be allowed.

Similarly, new claim 42, upon which new claims 43-49 depend, recites in part "determining whether to check a status for the certificate at a check time; in response to determining to not check the status for the certificate, exporting the certificate; [and] in response to determining to check the status for the certificate, determining whether to check the status for the certificate in real time." However, neither reference, alone or in combination, teaches or suggests, determining whether to check a status for said certificate at a check time and in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time. Rather Patterson teaches a single determination, whether the received certificate is already in the user cache, while Zubeldia simply responds to user requests by returning validity information stored in the database. For at least these reasons, Applicants respectfully request that claims 42-49 be allowed.

35 U.S.C. § 103 Rejection, Patterson in view of Zubeldia Wiener

Claims 7, 10 and 26 were previously rejected under 35 U.S.C. § 103(a) as being unpatentable over Patterson in view of Zubeldia, and further in view of U. S. Patent Application Publication No. 2003/0110376 to Wiener et al. (hereinafter "Wiener"). As discussed above, independent claims 1 and 20, upon which all other pending claims depend, are distinguishable from Patterson and Zubeldia since neither reference, alone or in combination, teaches or suggests determining whether to check a status for said certificate at a check time and in response to determining to check the status for said certificate at a check time, determining whether to check the status for the certificate in real time. Rather Patterson teaches a single determination,

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whether the received certificate is already in the user cache, while Zubeldia simply responds to user requests by returning validity information stored in the database. Therefore, this rejection is respectfully traversed for at least the reason that claims 7, 10, and 26 depend upon allowable base claims. For at least these reasons, Applicants respectfully request that the rejection be withdrawn and claims 7, 10, and 26 be allowed.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



William J. Daley
Reg. No. 52,471

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000 (Denver)
Fax: 303-571-4321 (Denver)

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